

years, it shows that under special circumstances, as in the case of the bifurcation of the Board itself, it is open to the Government to reduce it also.

Mr. T. MARIYAPPA.—Do the Government grant that they had no authority to reduce the term?

Mr. P. H. KRISHNA RAO.—It is a matter of opinion.

Mr. T. MARIYAPPA.—What special considerations prevailed with the Government to reconsider their own order within so short a time as one month?

Mr. N. MADHAVA RAO.—Government thought that as the district board was unwieldy, bifurcation was necessary. The question when such bifurcation should take effect was a subsidiary matter.

Mr. T. MARIYAPPA.—Was the reconsideration of the original order due to a realization on the part of the Government that the order was opposed to the provision of the Act?

Mr. P. H. KRISHNA RAO.—No.

Mr. T. MARIYAPPA.—Did any deputation wait on the Secretary to Government or the Member of Council to represent that the decision of the Government would result in considerable inconvenience to the public?

Mr. N. MADHAVA RAO.—There was a deputation who represented that it would cause inconvenience to the public. It was a matter of expediency.

Mr. T. MARIYAPPA.—The voters' lists were prepared at a heavy expenditure. If those lists were now to be thrown into disuse, who is to be held responsible for that heavy expenditure?

Mr. P. H. KRISHNA RAO.—The lists will be useful when elections are thought of next.

Mr. T. MARIYAPPA.—Will not several changes become necessary in those lists?

Mr. P. H. KRISHNA RAO.—The lists will have to be revised every time. That is a matter which cannot be helped.

Mr. T. MARIYAPPA.—Was a report received from the Deputy Commissioner that re-elections need not be thought of just now?

Mr. P. H. KRISHNA RAO.—I cannot say.

Limiting the Length of the Barrels of Guns.

Q.—15. Mr. R. P. RAJANNA, Gori-bidnur Taluk.—

Will the Government be pleased to state:—

(a) whether it is a fact that rules have been framed to limit the length of the barrels of guns to 12 inches;—

(b) if not, the reason for issuing orders for limiting the length of the barrels as above;

(c) whether they are aware that there is danger in the use of such short length barrelled guns;

(d) in how many cases have the length of the barrels of these guns been compulsorily cut like this in the State;

(e) the percentage of loss in the value of such guns whose barrels are cut;

(f) the amount of loss sustained by the rayats on this account;

(g) how many such guns, whose barrels are not cut, are under *amanath*;

(h) how they have been disposed of?

A.—The CHIEF SECRETARY to GOVERNMENT (Mr. H. V. Ramasvami).—

(a) No rules have been framed under the Arms Act. But instructions have been issued by Government in this behalf. In the first order, Government directed that free licences should be issued for muzzle loaders with barrels of not more than one foot in length. In the second order, instructions were issued that barrels should be cut without rendering them ineffective and that while issuing licences in Form No. XI (licence for destruction of wild animals doing injury to crops, cattle, etc.) in future, the length of the barrel should be prescribed as 12 inches.

(b) The order was issued with a view to prevent indiscriminate destruction of game.

(c) There is no danger.

(d) Only one.

(e) It depends upon the original value of the weapon. There will be little or no loss since such weapons are

effective even after the barrels are cut to prescribed length.

(f) No loss.

(g) There are 520 weapons under deposit.

(h) They are under deposit.

Mr. R. P. RAJANNA.—The lengths of the barrels have been reduced only in the case of muzzle loaders. Why was similar action not taken in respect of breach loaders also?

Mr. H. V. RAMASVAMI.—Breach loaders are not so much in use.

Mr. R. P. RAJANNA.—Are the Government aware that generally it is only poor people who keep muzzle loaders?

Mr. H. V. RAMASVAMI.—Yes.

Mr. R. P. RAJANNA.—Is it not the poor people then who suffer loss as a result of the length of the barrels being cut?

Mr. H. V. RAMASVAMI.—It may be; but it is a fact that poaching is done more by such people.

Mr. KHAJI SYED YUSUFF SAHIB.—Does this order of Government apply to maidan and forest taluks alike?

Mr. H. V. RAMASVAMI.—Yes.

Mr. KHAJI SYED YUSUFF SAHIB.—In those taluks many people have muzzle loaders for self-protection. In such cases, will it not cause hardship if the barrels are cut short?

Mr. H. V. RAMASVAMI.—In such cases, the length of the barrels has not been interfered with.

Mr. R. P. RAJANNA.—If the barrel is cut short, will the gun be effective for purposes of destroying wild animals?

Mr. H. V. RAMASVAMI.—It serves the purpose in that the animals can be scared away.

Mr. R. P. RAJANNA.—Apart from cutting short the length of the barrels, is there no provision in the Act to take action against those who resort to indiscriminate shooting?

Mr. H. V. RAMASVAMI.—Yes.

Mr. R. P. RAJANNA.—Where then was the need for this fresh order?

Mr. H. V. RAMASVAMI.—So many offences under the law were going unnoticed. That was why this order was issued.

Mr. R. P. RAJANNA.—The number of offences could not, after all, be very

large. Was that sufficient justification for cutting short the barrels in all cases?

Mr. H. V. RAMASVAMI.—The order does not refer to all cases. It refers only to muzzle loaders for which licences under Form XI have been issued.

Mr. R. P. RAJANNA.—If the Government suspect disregard of rules on the part of the gun licence holders, why not they as well cancel the licences altogether? By cutting off the length of the barrels, will not those who have paid heavily for the guns, be put to unnecessary loss?

Mr. H. V. RAMASVAMI.—Please refer to the answer to sub-section (e).

Mr. R. P. RAJANNA.—On what basis have the Government come to the conclusion that there is no danger in the use of guns with short barrels?

Mr. H. V. RAMASVAMI.—Experts have testified to that.

Mr. R. P. RAJANNA.—Have the manufacturers of the guns conceded that point?

Mr. H. V. RAMASVAMI.—The users of guns have.

Mr. R. P. RAJANNA.—Are not the Government aware that short barrelled guns are dangerous to the users themselves?

Mr. H. V. RAMASVAMI.—No.

Mr. R. P. RAJANNA.—Are not the Government aware that wild animals cannot be killed in accordance with the rules with such guns?

Mr. H. V. RAMASVAMI.—Even granting that it is so, the short barrelled guns will certainly be effective in scaring away the animals.

Mr. S. RAMAPPA.—How many cases of indiscriminate shooting have come to the notice of Government?

Mr. H. V. RAMASVAMI.—A number of instances have come to notice and several prosecutions have been instituted.

Mr. S. RAMAPPA.—Can the Government give us an idea as to how many of those cases relate to each district?

Mr. H. V. RAMASVAMI.—Notice.

Mr. S. RAMAPPA.—When did the Government realize the necessity for an order like this?

Mr. H. V. RAMASVAMI.—The necessity for such an order was being brought to notice ever since 1935

Mr. S. RAMAPPA.—Has not the system of granting licences in Form XI been in vogue for hundreds of years?

Mr. H. V. RAMASVAMI.—Yes, and all along poaching also must have been going on.

Mr. S. RAMAPPA.—If the necessity for an order like this has been felt all along since 1935, why was it that action was delayed till now?

Mr. H. V. RAMASVAMI.—The question was under consideration since 1935. It is as a result of that consideration that the order has now been issued.

Mr. S. RAMAPPA.—Will the Government agree that there is some reason, other than the preservation of game, behind this order?

Mr. H. V. RAMASVAMI.—No; the only object of this order is to prevent indiscriminate shooting of game.

Mr. S. RAMAPPA.—Have the Government ascertained from experts whether the utility of the guns will increase or diminish with the cutting down of the length of the barrels?

The FIRST MEMBER (Rajamantrapravina S. P. Rajagopalachari).—It is only after ascertaining all relevant particulars that the order in question has been issued.

Mr. S. RAMAPPA.—Who are all the experts whom the Government have consulted?

Mr. S. P. RAJAGOPALACHARI.—Government are not prepared to disclose the names.

Mr. S. RAMAPPA.—Has it come to notice that the guns have become too dangerous to be used as a result of the barrels having been cut?

Mr. S. P. RAJAGOPALACHARI.—No; but Government have no objection to examine the question again in view of the representations now made.

Mr. S. RAMAPPA.—In view of the fact that licence in Form No. IX will be issued only to those paying a minimum land revenue of Rs. 250, will the Government be pleased to consider the desirability of lowering the property qualification to a minimum assessment of Rs. 25 for issuing licences in Form No. IX and dispensing with Form No. XI?

Mr. S. P. RAJAGOPALACHARI.—We shall examine that question also.

Mr. B. SRINIVASA RAO.—Are not the Government aware that there are no forests in some of the districts and that in such cases, there is no need for such a general order at all?

Mr. S. P. RAJAGOPALACHARI.—You cannot say that there are no forest lands at all in any district. It may be that they are more in one case and less in another.

Mr. B. SRINIVASA RAO.—In the Kolar District particularly, are there any wild animals at all?

Mr. S. P. RAJAGOPALACHARI.—If there is no game at all in that district, there is no need for these licences in Kolar and no one need get any guns.

Besides, the guns which have been surrendered are still in the police stations. Only one of them has been cut. The question of reducing the length of the barrels in all cases will be considered when some experience is gained under the recent order.

Mr. S. VENKATASWAMI GOWDA.—In answer to (d), Government have stated that the length of the barrel has been compulsorily cut in only one case. May I know which is that case?

Mr. H. V. RAMASVAMI.—It relates to Thirthahalli Taluk.

Mr. S. VENKATASWAMI GOWDA.—Instead of cutting short the barrels, why not the Government themselves purchase the guns and pay the value to the owners?

Mr. H. V. RAMASVAMI.—That question does not arise. Government will, however, consider whether the order should be enforced in all cases.

Mr. S. P. RAJAGOPALACHARI.—There is a representation on this very question (Representation No. 25). This question can be discussed in detail when that representation is taken up.

Mr. H. M. CHANNABASAPPA.—When a regular legislative measure has been enacted for the preservation of game, is it competent for the Government to change that law by means of an executive order?

Mr. S. P. RAJAGOPALACHARI.—I shall explain in detail the policy underlying the order when Representation No. 25 is taken up.

Mr. K. T. BHASHYAM AIYANGAR.—Were any representations made to the Government or was the Assembly consulted before the Government ordered the cutting down of the length of the barrels?

Mr. S. P. RAJAGOPALACHARI.—I should like to answer that question after due verification and in connection with the representation already referred to.

GOVERNMENT BUSINESS—*contd.*

General Principles of the Mysore Newspaper Bill—*concl'd.*

After a brief reference to the history of the Mysore Newspaper Act, **Mr. H. K. VEERANNA GOWDA** said that the Government's promise to lessen the rigour of the law was as old as 10 years. After such a long delay, the Government had now proposed to enact a law which was more rigorous than the existing one. Under the existing law, every editor of a newspaper was required to obtain permission of the Government in the first instance and then a licence from the Magistrate. Although many had pointed out that the permission of the Government was quite unnecessary, it had not been done away with in the bill under contemplation. The provision regarding magisterial licence also was embodied in the proposed law. But it had not been a point of dispute between the Government and the Press. The main complaint was that whereas under the present law, the power of a Magistrate was limited to giving a licence, in the proposed law, the demanding of heavy securities more than once and forfeiting them also were provided for in addition. In this respect, the new law was harsher than the existing one. It was stated on behalf of the Government that the penal provisions of the law had been made with a view to preventing the spread of seditious or other objectionable matter by the editors in general. And this, it was contended, would be in the interests of the general public. If penal provisions were made with a view to preventing the publication of

all objectionable or dangerous matter, the speaker was tempted to ask whether on the same analogy the Government would close down by legislation all hotels in view of the possibility of one of the hotels serving poison mixed with food or close down all grocers' shops on the remote possibility of the provisions sold by any one of them containing admixture of unhealthy stuffs.

The member objected in particular to the provision relating to the Government themselves having the power to order the suspension of licence and such other summary powers. No doubt, the Government could explain it away by saying that even though the demanding of securities was provided for in the law, it was open to the Magistrate to decide with reference to the merits of each case whether or not to demand security, and that the Magistrate was free to pass orders granting or refusing the licence. But, as a matter of fact in Mysore, the scheme of separation of the executive from the judiciary was not complete, though in theory it was prevalent. So that, the magistrates might pass their orders in accordance with the wishes of those in power. In this view, the editors had just ground for fear that the magistrates might not pass orders according to their own independent judgments. After all, the question whether a particular article was seditious or not, or whether a particular criticism was reckless or responsible, was a matter of individual opinion. Even on the question of sedition, opinion had undergone a radical change in the neighbouring provinces of British India. For example, some of those governments had declared certain writings as seditious and forfeited the securities deposited by concerned editors. But subsequently, the Congress Ministries held a different opinion with regard to those particular writings and were returning the forfeited securities. Thus, the question how far newspapers deserved to be placed under check was one for decision from a proper angle of vision. At a time when the angle of vision had undergone a change in the neighbouring provinces, it was unfortunate that the Government